Mr. C. J. Mathew:— The title of the Bill is "The Cochin Criminal Law Amendment Bill".

Mr. Thomas Manjuran :— I beg to move that the Bill may be submitted for the examination of a Select Committee consisting of the following members:

Mr. K. G. Nayar,
The Police Commissioner,
Mr. M. A. Chakko,
Mr. A. Sankara Poduval,
Mr. Joseph Pettah,
Dr. A. R. Menon, and
The Government Advocate.

Mr. K. M. Ibrahim:— I propose the name of Mr. K. T. Mathew.

Mr. Thomas Manjuran :— Why I am not including the Hon'ble Member's name is that being the Deputy President, he has necessarily to be the Chairman of the Committee and as such he has to be the convener. Being away in Colombo, I thought it would be impracticable to get him.

Mr. K. Ayyappan :— I propose the name of Mr. Ikkanda Warriar.

Mr. Thomas Manjuran :— His name figures in another committee to be consituted presently and that is a committee of lawyers exclusively. If he is willing to act on this committee, I have no objection. What I thought was that I was not justified in troubling the Hon'ble Members too much.

President :— Therefore, the committee will consist of Mr. K. G. Nayar the Police Commissioner, Mr. M. A. Chakko, Mr. A. Sankara Poduval, Mr. Joseph Pettah, Dr. A. R. Menon, Mr. E. Ikkanda Warriar and the Government Advocate. I appoint the Government Advocate as the Chairman. The committee will report in 3 months.

Bill to amend the Cochin Municipal Regulation XI of 1096.

Mr. Thomas Manjuran :— I beg to introduce a Bill to amend the Cochin Municipal Regulation XI of 1096. Under the existing Municipal Regulation, section 237 reads:—

"The Government may by notification issued after previous publication—

(a) constitute any specified area into a minor municipality and extend to it the provisions of this Regulation subject to such restrictions and modifications as they think fit;

(b) enforce either permanently or temporarily all or any of the provisions of this Regulation relating to scavenging, nuisances, licenses

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and fees, and vital statistics and the prevention of disease in any specified area in a taluk and appoint officers for carrying cut these provisions. Such officers shall have the powers of a municipal authority."

Now, the present Bill contains the following provision: "Delete section 237 (b) from the existing Regulation and substitute for it the following:—

"237-(b)—enforce either permanently or temporarily all or any of the provisions of this Regulation, subject to such restrictions and modifications as they may think fit in any specified area in a Taluk and appoint officers for carrying out these provisions. Such officers shall have the powers of a municipal authority." That is to say, under the existing Regulation, the Government have power to extend the provisions of the Municipal Regulation contained in certain chapters, for instance, nuisance, license fee, etc. With the development of the Health Department it has been found that it would be advisable to extend the matters contained in the Municipal Regulation as well. This Bill is introduced as a measure for that purpose. The idea is with the development of the Health Department, if that department were given powers to regulate the sanitary conditions and other conditions as obtaining in Municipal areas, in non-municipal areas, a definite advantage more or less on the lines of what is going on in Municipal areas will be had to the epidemic, water supply, etc. That is the object of the Bill. I hope that the Hon'ble Members will find nothing controversial in the Bill which is intended only in the interest of public health.

Dr. A. R. Menon:— Does this in any way affect the municipalities?

Mr. Thomas Manjuran:— Not at all.

Mr. E. Ikkanda Warriar:— Sir, I rise to oppose this Bill. We must seriously consider the mischief which this Bill is likely to do before we give our consent to it. We have already seen, from some of the answers given yesterday, the trouble, inconvenience and loss the public is put to by being compelled to take out licenses and pay for them for every small trade and industry in the villages. The benefits offered to us in return is rather questionable. But the loss and inconvenience is certain. If this Bill is passed every part of the State will be converted into a Municipality under the Department of the Public Health for collection of license fees and other purposes and the Public will be put to all the annoyance and loss which it is put to in Municipal areas

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without the corresponding benefits and safeguards. They will be placed at the mercy of the Sanitary Inspectors uncontrolled by the influence of a body of Elected Members as is obtained in every Municipality. My submission is that the Health Department is only in its infancy. It has yet to justify the powers already given to it and to create a little more confidence in the minds of the public. In these circumstances I would respectfully beg this House to seriously consider the various implications of the Bill. I am sure the majority of the members of this House has not correctly gauged the mischief of this apparently small and innocent amendment in a section of the Municipal Regulation. Now what happens if this Bill is passed? It will have the effect of making the whole Municipal Regulation applicable to all parts of Cochin State by a stroke of the Diwan's pen. I submit that it is not yet time to enlarge the powers of the Department of Public Health. We can afford to wait, until the Government makes out a case that there is absolute necessity for it. I therefore beg to oppose this Bill.

Dr. A. R. Menon:— Do you mean to say all the powers of the Municipalities.

Mr. Thomas Manjuran:— Such of the powers as the Government may think fit.

Since I find that there is some misunderstanding on the matter, I think it is better to send this matter also to a Select Committee so that the Committee may go into the question in detail and report.

Mr. T. A Ramachandra Ayyar:— I oppose this Bill.

P. Kumaran Ezhuthassan;— May I know whether any formalities have to be gone through before the provision contemplated here is enforced upon any area, or is it the sweet will of the Government to notify it?

Mr. Thomas Manjuran:— It is stated in the Bill.

Dr. A. R. Menon:— Let us have a detailed discussion.

Mr. Thomas Manjuran:— That is why I say that the matter may be referred to a Select Committee.

Mr. P. Kumaran Ezhuthassan:— Instead of referring it to the Select Committee, why not leave it to the people?

Mr. Thomas Manjuran:— It is not the question of people wanting a municipality. The Government has a responsibility to look after the public health and public sanitation of the State. It may be that people are afraid of paying a little more by way of taxation. The Government cannot shelve the question.

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Dr. A. R. Menon :— We also devised a measure here for the consideration of Government to have minor municipalities. You refused to carry on those things. The Council passed this by means of a cut motion which was carried.

Mr. Thomas Manjuran :— It was before the creation of the Public Health Department.

Dr. A. R. Menon: — How does it affect the question if it is before or after. Instead of one officer going about and bungling with the whole of our State, why not you give this self-government to the people?

President:— If you want a discussion, you may have it at the committee stage.

Dr. A. R. Menon:— We want to decide whether it is to be sent to a Select Committee. We may throw it out now. Then do we want this to be sent to a Select Committe?

Mr. E. Ikkanda Warriar:— May I know whether there is any urgency?

Mr. Thomas Manjuran:— There is urgency. The department was asked to look after the sanitation of the countryside. That department cannot do its work satisfactorily in the absence of these powers.

Mr. Ismail Hajee Essa Sait:— Sir, I am opposed to the Bill. I have not received a copy of the Bill. So, I cannot understand it clearly.

Mr. Joseph Pettah:— I propose that the Council pass to the next item of business.

Mr. P. Kumaran Ezhuthassan:— I second it.

Motion put and carried.

Bill to amend the Places of Public Resort Regulation X of 1097.

Mr. Thomas Manjuran:— The next Bill is a "Bill to amend the Places of Public Resort Regulation, X of 1097." I shall read the Bill first.

"With the development of the Department of Public Health in the State, it is found expedient to confer on that Department certain powers of inspection with regard to places of public resort. The Bill is intended to confer such powers on the Department.

Whereas it is found expedient to amend Regulation X of 1097, it is hereby enacted as follows:—

1. (1) This Regulation may be called the "Places of Public Resort (Amendment) Regulation."

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